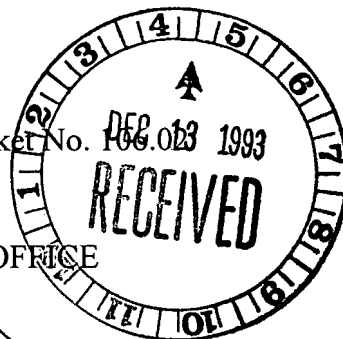




Attorney Docket No. 100.013



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
JOSHUA D. KAPLAN

Serial No. 08/035,661

Filed: March 23, 1993

For: APPARATUS AND METHOD)
FOR POINT OF PREVIEW)
AND FOR COMPILATION)
OF MARKET DATA)

Group Art Unit: 2311

Examiner R. Weinhardt

13
(N.E.)

TERMINAL DISCLAIMER TO
OBVIATE DOUBLE PATENTING
REJECTION OVER PRIOR PATENT

Hon. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Sir:

INTOUCH GROUP, INC. is the owner of 100% interest in the instant application. Intouch Group, Inc. hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 156 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 5,237,157. Intouch Group, Inc. hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Intouch Group, Inc. does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 156 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that

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it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

For submissions on behalf of Intouch Group, Inc., the undersigned (whose title is supplied below) is empowered to act on behalf of the corporation.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: 12/10/43


Joshua D. Kaplan, President

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